

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MANDI R. MUMM,

Defendant.

CASE NO. 8:04CR438

ORDER

This matter is before the Court on the motion filed by the government and the Director of the Federal Bureau of Prisons pursuant to 18 U.S.C. § 3582(c)(1)(A)(I), seeking a modification of the term of imprisonment of Defendant Mandi R. Mumm to time served and to immediately commence the Defendant's five-year term of supervised release previously imposed (Filing No. 71).

The Defendant was found guilty at trial of violating 21 U.S.C. § 846, conspiracy to distribute a controlled substance, and was sentenced on June 13, 2005, to a 144-month term of imprisonment, followed by a five-year term of supervised release. The Court has been advised that the Defendant suffered a near catastrophic stroke in 2014, and, as a result, is limited in her mobility, self-care, balance, and upper extremities' strength, and suffers from ataxia.

Pursuant to Title 18 U.S.C. § 3582(c)(1)(A)(I), the Court has the authority to modify a term of imprisonment, upon motion of the Director of the Bureau of Prisons, if it finds that extraordinary and compelling reasons warrant the reduction. The Director of the Bureau of Prisons contends, and the Court concurs, that the Defendant's debilitated status constitutes extraordinary and compelling reasons that warrant the requested reduction. Accordingly,

IT IS ORDERED:

1. The Motion to Reduce Term of Imprisonment to Time Served (Filing No. 71) filed by the government is granted;
2. Defendant Mandi R. Mumm's term of imprisonment is hereby reduced to the time that she has already served;
3. The Defendant shall be released from the custody of the Federal Bureau of Prisons as soon as the release plan is implemented, and travel arrangements can be made;
4. Upon the Defendant's release from the custody of the Federal Bureau of Prisons, the defendant shall begin serving the five-year term of supervised release previously imposed; and
5. The Clerk of the Court shall provide a copy of this order to the U.S. Probation Office.

DATED this 9th day of October, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge